

REMARKS

This paper is submitted in response to the Office Action dated September 29, 2011 (the “Office Action”).

Claims 2-4, 6-7, and 46-68 are pending in the application.

Claims 2-4, 6-7, and 46-68 stand rejected.

The amendments add no new matter. Support for the amendments may be found throughout Applicant’s Specification and Drawings as originally filed, for example in p. 4, lines 9-19; p. 6, line 33—p. 7, line 3; among others. While not conceding that the cited reference(s) qualify as prior art, but instead to expedite prosecution, Applicant has chosen to respond as follows. Applicant reserves the right, for example in a continuing application, to pursue the previously pending claims or claims similar thereto. Applicant respectfully submits that the pending claims are allowable in view of the following remarks and the above amendments, and respectfully requests reconsideration of the pending rejections.

Rejection of Claims under 35 U.S.C. § 101

Claims 62-68 stand rejected under 35 U.S.C. § 101 as purportedly being directed to non-statutory subject matter. Applicant has amended independent claim 62. Applicant respectfully submits that, at least in view of this amendment, claims 62-68 recite patent-eligible subject matter under § 101. Applicant therefore requests that the rejection under §101 be withdrawn.

Rejection of Claims under 35 U.S.C. § 103(a)

Claims 2-4, 6-7, and 46-68 stand rejected under 35 U.S.C. § 103(a) as purportedly being unpatentable over U.S. Patent No. 6,026,077 issued to Iwata (“Iwata”) in view of U.S. Patent Application Publication No. 2001/0034853 by Takatama et al. (“Takatama”). Applicant respectfully submits that the claims are allowable for a variety of reasons.

First, a person having ordinary skill in the art would not make the modification and combination of references that is proposed in the Office Action. Second, even if the features disclosed therein could be appropriately modified and/or somehow successfully combined

(which Applicant maintains is neither possible, nor appropriate), the cited passages of the references would nonetheless fail to disclose each limitation of Applicant's claims.

Nonetheless, in an effort to expedite prosecution, Applicant has amended independent claims 46, 48, 55, and 62. Applicant respectfully submits that, at least in view of these amendments, claims 46, 48, 55, and 62 and all claims dependent thereon are distinguished over the cited passages, whether taken individually or in combination. Applicant therefore requests that the rejection under § 103(a) be withdrawn.

Conclusion

In view of the amendments and remarks set forth herein, the application and the claims therein are believed to be in condition for allowance and a notice to that effect is solicited. Nonetheless, should any issues remain that might be subject to resolution through a telephonic interview, the Examiner is invited to telephone the undersigned at 512-439-5097.

If any extensions of time under 37 C.F.R. § 1.136(a) are required in order for this submission to be considered timely, Applicant hereby petitions for such extensions. The undersigned hereby authorizes that any fees due for such extensions or any other fee associated with this submission, as specified in 37 C.F.R. §§ 1.16 or 1.17, be charged to deposit account no. 502306.

I hereby certify that this correspondence is being submitted to the U.S. Patent and Trademark Office in accordance with 37 C.F.R. § 1.8 on December 29, 2011 (CT) by being (a) transmitted via the USPTO's electronic filing system; or (b) transmitted by facsimile to 571-273-8300; or (c) deposited with the U.S. Postal Service as First Class Mail in an envelope with sufficient postage addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

/ Cyrus F. Bharucha /
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December 29, 2011
Date

Respectfully submitted,

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